

**In The United States Court Of Appeals  
FOR THE DISTRICT OF COLUMBIA**

**Case No. 22-7036**

Kenneth Dickerson,

Appellant

v.

District of Columbia,

Appellee

**APPELLANT'S STATEMENT OF ISSUES TO BE RAISED**

Appellant, Kenneth Dickerson, intends to raise the following issues on appeal:

Whether the United States District Court's March 3, 2022 erroneously granted Defendant's Motion for Summary Judgment, to include the following questions?

Whether applying the McDonald-Douglas framework, the District Court properly determined, as a matter of law, that Defendant had articulated a "legitimate non-discriminatory reason" for Appellant to his leadership position at Wilson High School?

Whether a restructuring, as distinct from a reduction in force based on economic necessity, may constitute an employer justification sufficient to shift the burden back to the employee under McDonald-Douglas?

Whether Defendant's decision to terminate Mr. Dickerson to replace all or most of the school district's city wide leadership staff required Appellant's termination while hiring a white female to replace him team without any consideration whatsoever of Appellant's qualifications and performance to determine what, if any role, he may have had in the "school's failure."

Respectfully submitted,

*Donald M. Temple*

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 29<sup>th</sup> day of April 2022 a copy of the foregoing was served by use of the Court's Electronic Filing System, upon the following:

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